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March 20, 2012

USPO Mary Ann Betts
Department of Probation
147 Pierrepont Street
Brooklyn, New York 11201

Re: US vs. Joseph DiMarco
Docket No.: 11 CR 30(KAM)

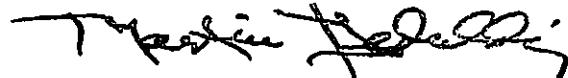
Dear Ms. Betts:

My client's co-defendant, Vito Vizzi, was recently sentenced by Judge Matsumoto to a prison term of four months. (Both men are named in count 54 of their indictment) In calculating the co-defendant's guideline range he received a two level reduction in his offense level based upon a global plea consideration. Vizzi had a final offense level of eight.

My client's plea agreement contained the same global plea arrangement, however, his PSR did not reflect that two level reduction. As a consequence DiMarco's final offense level of 10 is two levels higher than Vizzi. I am writing to request a two level reduction for my client pursuant to the global plea understanding. This results in a final offense level of eight and a guideline sentence range of 0 to 6 months (DiMarco is in Criminal History Category I)

Thank you for your consideration in this matter.

Yours truly,



Martin Geduldig

MG/jlr

cc: Hon. Kiyo A. Matsumoto
AUSA Allon Lifshitz